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By ECF

September 14, 2018

Honorable John G. Koeltl
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York NY 10007-1312

Re: *Zirvi et. al. v. Flatley et. al.*, Case No. 18-cv-07003-JGK

Dear Judge Koeltl:

We are counsel for defendants Jay Flatley, Kevin Gunderson, David Walt, Jian-Bing Fan and Illumina, Inc., in the above-captioned case. We write to follow up on our letter dated September 12, 2018, notifying the Court that the last defendant in this action had been served and that, pursuant to our letter motion of August 27, 2018 (Dkt. 59), the date by which the defendants we represent should respond to the Complaint in this action could be reset to October 10, 2018, from the currently-docketed response date of October 31, 2018.

On September 13, the Court granted defendant Stephen Fodor's request for an extension of time to answer, move, or otherwise respond, until October 31, 2018 (Dkt. 82).¹ In the interest of maintaining a uniform response deadline for all defendants, and in light of the number and complexity of allegations against the defendants we represent, we respectfully request that the Court also retain the currently-docketed response date of October 31, 2018 for defendants Flatley, Gunderson, Walt, Fan, and Illumina.

We have conferred with counsel for the plaintiffs, who do not oppose this request.

Respectfully submitted,

s/ Robert P. Haney, Jr.
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¹ A request for the same extension of time from co-defendants Affymetrix, d/b/a as a part of Thermo Fisher Scientific and Applied Biosystems d/b/a a brand of Thermo Fisher Scientific (together, the "Thermo Fisher defendants") is also pending before the Court (Dkt. 81).

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cc: *All Counsel of Record (via ECF)*